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CHARLES R. SPIES
(202) 496-7878

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November 23, 2009

VIA HAND DELIVERY

Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
999 E Street, NW
Washington, DC 20463

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COMMISSION
2009 NOV 24 AM 10: 13
OFFICE OF GENERAL
COUNSEL

Re: MUR 6217 - Respondent Vitter for Senate

Dear Mr. Jordan:

On behalf of David Vitter for US Senate, and William Vanderbrook, as Treasurer (collectively "Vitter for Senate"), this letter is submitted in response to the Louisiana Democratic Party ("LDP") press release that is now masquerading as a "complaint" and has been captioned by the Commission as MUR 6217. With regards to the inclusion of Vitter for Senate as a Respondent, the Complaint provides no factual evidence whatsoever of a violation of the Federal Election Campaign Act of 1972, as amended ("Act" or "FECA") and should be promptly dismissed.

In early August of 2009, the David Vitter for US Senate campaign was pleased to receive a \$5,000 contribution from Mississippi Governor Haley Barbour's "Haley's PAC." Haley's PAC has shown a pattern of support for Vitter for Senate, having previously contributed to David Vitter for US Senate in September of 2006, and Vitter for Senate was honored to receive this additional, and fully lawful, support in August of 2009.

On its face, the August 2009 contribution of \$5,000 from Haley's PAC is within the legal contribution limits from a multicandidate PAC to a campaign for US Senate, and no facts have been set forth which, even if proven to be true, would constitute a violation of the Act by Vitter for Senate.

The Commission may find "Reason to Believe" only if a complaint sets forth sufficient specific facts which, if proven true, would constitute a violation of the Act. See 11 C.F.R. § 111.4 (a)(d). In this case, the complaint only sets forth groundless speculation and innuendo, and fails to meet the minimal threshold for the Commission to find "reason to believe." In order for

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Vitter for Senate to have violated the Act, Vitter for Senate would have had to have *knowingly* accepted a contribution made by one person in the name of another. See 2 U.S.C. §441f (emphasis added). No facts were even asserted in the Complaint which would prove that Vitter for Senate knowingly accepted a contribution made by one person in the name of another. Even if the conjecture and innuendo in the complaint were at some point proven to be correct, there are no facts asserted, even buried among the baseless speculation, which would prove that Vitter for Senate knowingly accepted an impermissible contribution.

This complaint is no more than a political attack press release filled with unsubstantiated speculation and allegations, and the Commission should not tolerate this abuse of the Commission's limited resources. Consequently, Vitter for Senate respectfully requests that the Commission dismiss this Complaint as regards Respondent Vitter for Senate, and take no further action. Thank you for your consideration in this matter.

If you have any questions or concerns, please do not hesitate to contact me directly at (202) 496-7878. Thank you for your consideration.

Sincerely,

Charles R. Spies

A handwritten signature in black ink, appearing to read "Charles R. Spies", written over the printed name.

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